

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>VERNON PAYNE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 05-607-DRH</b>
	)	
<b>MAGGIE BRYANT, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**HERNDON, District Judge:**

On October 4, 2005, this Court assessed an initial partial filing fee of \$10.14 (Doc. 6). On February 3, 2006, the Court ordered Plaintiff to pay his initial partial filing fee or show cause why he was unable to do so (Doc. 8); a response was due within 30 days. In that same order, Plaintiff was advised that failure to comply with that order in a timely manner would be grounds for dismissal of this action. To date the Court has not received any payment from Plaintiff, nor has Plaintiff indicated any reason why he is unable to pay this fee as ordered, and the thirty-day time frame has long since expired.

**IT IS HEREBY ORDERED** that this action is **DISMISSED** with prejudice for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *see generally* *Ladien v. Astrachan*, 128 F.3d 1051 (7<sup>th</sup> Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7<sup>th</sup> Cir. 1994).

**IT IS SO ORDERED.**

**DATED: April 19, 2006.**

/s/ David RHerndon  
**DISTRICT JUDGE**